

“(B) in the case of passenger automobiles, a fleet average fuel economy for that year of at least the average fuel economy standard applicable under subsection (b) or (c) of section 32902 of this title for such model year.”;

(B) in paragraph (2)—

(i) by striking “Fleet average fuel economy is—” and inserting “For the purposes of paragraph (1), the fleet average fuel economy of non-passenger or passenger automobiles in a fiscal year is—”;

(ii) in subparagraph (A), by striking “passenger automobiles leased for at least 60 consecutive days or bought by executive agencies in a” and inserting “the non-passenger automobiles or passenger automobiles, respectively, that are leased for at least 60 consecutive days or bought by executive agencies in such”;

(iii) in subparagraph (B), by inserting “such” after “the number of”; and

(2) by adding at the end the following:

“(c) MINIMUM NUMBER OF EXCEPTIONALLY FUEL-EFFICIENT VEHICLES.—The President shall prescribe regulations that require that—

“(1) at least 20 percent of the passenger automobiles leased for at least 60 consecutive days or bought by executive agencies in a fiscal year have a vehicle fuel economy rating that is at least 5 miles per gallon higher than the average fuel economy standard applicable to the automobile under subsection (b) or (c) of section 32902 of this title for the model year that includes January 1 of that fiscal year; and

“(2) beginning in fiscal year 2011, at least 10,000 vehicles in the fleet of automobiles used by executive agencies in a fiscal year have a vehicle fuel economy that is at least 5 miles per gallon higher than the average fuel economy standards applicable to such automobiles under section 32902 of this title for the model year that includes January 1 of that fiscal year.”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1672. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1673. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra.

SA 1674. Mr. SHELBY (for Ms. MIKULSKI) proposed an amendment to the bill H.R. 2862, supra.

SA 1675. Mr. SHELBY (for Mr. BURNS) proposed an amendment to the bill H.R. 2862, supra.

SA 1676. Mr. SHELBY (for himself and Mr. BAUCUS) proposed an amendment to the bill H.R. 2862, supra.

SA 1677. Mr. SHELBY (for Mr. TALENT (for himself, Mrs. FEINSTEIN, and Mr. FRIST)) proposed an amendment to the bill H.R. 2862, supra.

SA 1678. Mr. LIEBERMAN proposed an amendment to the bill H.R. 2862, supra.

SA 1679. Mr. KERRY (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1680. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1681. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1682. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1683. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1684. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1685. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1686. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1672. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . WAIVER OF LICENSING AND CERTIFICATION REQUIREMENTS APPLICABLE TO CERTAIN HEALTH PROFESSIONALS.

(a) IN GENERAL.—Notwithstanding any other provision of law, an eligible health professional may provide health-related services under the medicare, medicaid, or SCHIP program under title XVIII, XIX, or XXI of the Social Security Act (42 U.S.C. 1395 et seq., 1396 et seq., and 1397 et seq.), regardless of the licensing or certification laws of the State in which such services are being provided, during the 90-day period that begins on the date of enactment of this Act.

(b) ELIGIBLE HEALTH PROFESSIONAL.—To be eligible to provide health-related services in a State during the period referred to in subsection (a) without State licensure or certification, a health professional shall—

(1) be a physician, nurse, dentist, pharmacist, mental health professional, or allied health profession, or any other professional determined appropriate by the Secretary of Health and Human Services;

(2) have a valid license from, or be certified in, at least one of the States affected by Hurricane Katrina, as described in subsection (c), and not be affirmatively barred from practicing in that State; and

(3) have applied for a license or certification in the State in which such professional will provide the health-related services under subsection (a) without State licensure or certification.

(c) STATES DESCRIBED.—The States described in this subsection are those States covered by the declarations of the President, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, on August 24, 2005 (Florida), on August 29, 2005 (Alabama, Louisiana, and Mississippi), and on September 2, 2005 (Texas), all due to Hurricane Katrina.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as altering or affecting any procedures adopted by State health professional licensing or certification boards relating to waivers of licensing and certification requirements for health professionals affected by Hurricane Katrina.

SA 1673. Mr. SHELBY submitted an amendment intended to be proposed by

him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, as follows:

On page 121, line 19, after “curity,” insert the following:

“of which \$152,546,000 shall be for national security infrastructure.”.

SA 1674. Mr. SHELBY (for Ms. MIKULSKI) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Page 162, line 23, after the word “mission,” add the following “\$371,600,000 for the Webb Space Telescope to be launched no later than 2013.”

SA 1675. Mr. SHELBY (for Mr. BURNS) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in the bill, insert the following:

“Notwithstanding any other provision of this Act, no funds appropriated under this act shall be used to register, issue, transfer, or enforce any trademark of the phrase “Last Best Place”.”

SA 1676. Mr. SHELBY (for himself and Mr. BAUCUS) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 190, between lines 14 and 15, insert the following:

SEC. 5 ____ . (a) For the period beginning on October 1, 2005, and ending on April 1, 2006, none of the funds made available by this or any other Act may be used to pay the salaries or expenses of any employee of any agency or office to implement any change to part 302, 303, 306, or 318 of title 13, Code of Federal Regulations (as in effect on December 14, 1999), pursuant to the interim final rule published August 11, 2005 (70 Fed. Reg. 47002; relating to the implementation of, and regulatory revision under, the Economic Development Reauthorization Act (Public Law 108-373; 118 Stat. 1756)).

(b) Notwithstanding the interim final rule described in subsection (a), the public comment period with respect to parts 302, 303, 306, and 318 of title 13, Code of Federal Regulations, shall be not less than 30 days.

SA 1677. Mr. SHELBY (for Mr. TALENT (for himself, Mrs. FEINSTEIN, and Mr. FRIST)) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of the bill, add the following:

TITLE VII—METHAMPHETAMINES

SECTION 701. SHORT TITLE.

This title may be cited as the “Combat Meth Act of 2005”.

Subtitle A—Amendments to Controlled Substances Act

SEC. 710. PSEUDOEPHEDRINE AND EPHEDRINE AMENDMENTS TO CONTROLLED SUBSTANCES ACT.

(a) ADDITION OF PSEUDOEPHEDRINE AND EPHEDRINE TO SCHEDULE V.—The matter under schedule V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) is amended by adding at the end the following:

“(6) Any detectable quantity of pseudoephedrine or ephedrine, their salts or optical isomers, or salts of optical isomers.”.

(b) PRESCRIPTIONS.—Section 309(c) of the Controlled Substances Act (21 U.S.C. 829(c)) is amended—

(1) by striking “No controlled substance” and inserting the following:

“(1) IN GENERAL.—No controlled substance”; and

(2) by adding at the end the following:

“(2) RETAIL DISTRIBUTORS AND PHARMACIES.—If a controlled substance described in paragraph (6) of schedule V is dispensed or sold at retail by a retail distributor or a pharmacy, the retail distributor or pharmacy shall ensure the following:

“(A) QUALIFICATIONS OF DISPENSER.—The substance shall be dispensed or sold at retail only by practitioner, pharmacist, or an individual under the supervision of a pharmacist as permitted by the State.

“(B) REQUIREMENTS FOR PURCHASER.—Any person purchasing, receiving, or otherwise acquiring any such substance shall, prior to taking possession—

“(i) provide an approved Federal or State-issued photo identification or an alternative form of identification authorized by the Attorney General; and

“(ii) sign or make an entry in a written or electronic log that conforms with the regulations under paragraph (4) documenting—

“(I) the date of the transaction;

“(II) the name of the person; and

“(III) the name and the amount of the controlled substance described in paragraph (6) of schedule V purchased, received, or otherwise acquired.

“(C) LIMITATION ON AMOUNT OF PURCHASE.—No person shall purchase, receive, or otherwise acquire more than 7.5 grams of a controlled substance described in paragraph (6) of schedule V within any 30-day period.

“(3) EXEMPTIONS.—

“(A) IN GENERAL.—The Attorney General, by rule, may exempt a product from paragraph (6) of schedule V if the Attorney General determines that the product cannot be used in the illegal manufacture of methamphetamine or any other controlled dangerous substance.

“(B) DIFFERENT FORMULATION.—

“(i) IN GENERAL.—The Attorney General, upon the application of a manufacturer of a drug product, may exempt a product from paragraph (6) of schedule V if the Attorney General determines that the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine.

“(ii) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Health and Human Services should consider a product under clause (i) to be subject to the performance goals established by the Commissioner of Food and Drugs for priority drugs.

“(C) SPECIAL EXCEPTIONS.—The Attorney General, by rule, may authorize the sale of a controlled substance described in paragraph (6) of schedule V by persons other than a practitioner, and at a location other than a pharmacy if—

“(i) the Attorney General—

“(I) determines that the retail facility is located within a commercial service airport, and sells the substance packaged in liquid and liquid filled gelcaps only, each single

sales package containing not more than 360 mg, per person, in a 24 hour period; or

“(II) has issued an alternate place of sale license to the retail location and has issued an alternate dispenser license to the person authorized to make the sale under subsections (i) and (j) of section 303, respectively;

“(iii) the person dispensing the controlled substance described in paragraph (6) of schedule V follows the procedures set forth in this Act; and

“(iv) the person authorized under section 303(i) dispensing the controlled substance described in paragraph (6) of schedule V provides notification, in writing, of the intention to dispense such substance pursuant to a special exception under this subparagraph to each State and local law enforcement authority with jurisdiction to investigate crimes involving controlled substances at such location.

“(D) PRESCRIPTIONS.—The limit described in paragraph (2)(C) shall not apply to any quantity of such substance dispensed under a valid prescription.

“(4) REGULATIONS.—

“(A) RULES FOR LOGS.—

“(i) IN GENERAL.—The Attorney General shall promulgate rules and regulations—

“(I) prescribing the content and format of the log required in paragraph (2)(B)(ii);

“(II) establishing the manner in which the information in the log required in paragraph (2)(B)(ii) shall be reported to law enforcement authorities; and

“(III) prohibiting accessing, using, or sharing the information in the log for any purpose other than to ensure compliance with this Act or to facilitate a product recall necessary to protect public health and safety.

“(ii) MISREPRESENTATION WARNING.—The rules and regulations under clause (i) shall require that the log explain the potential consequences of false statements or misrepresentations, including requiring that the following statement is prominently presented: ‘NOTE: PENALTY FOR MISREPRESENTATION—Any misrepresentation (by omission or concealment, or by misleading, false, or partial answers may result in prosecution pursuant to section 1001 of title 18, United States Code, which makes it a criminal offense, punishable by a maximum of 5 years imprisonment, \$10,000 fine, or both, knowingly and willfully to make a false statement or representation to any Department or Agency of the United States as to any matter within the jurisdiction of any Department or Agency of the United States.’

“(B) ALTERNATE IDENTIFICATION.—The Attorney General shall promulgate rules and regulations authorizing the acceptance of an alternate form of identification under paragraph (2)(B)(i) to be used electronically.

“(5) GOOD FAITH PROTECTION.—A retailer who in good faith releases information maintained under this subsection for purposes of compliance with this Act to a law enforcement or regulatory authority established pursuant to Federal or State law is immune from civil liability unless the release constitutes gross negligence or intentional, wanton, or willful misconduct.”.

(c) ALTERNATE PLACE OF SALES AND DISPENSERS.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

“(i) ALTERNATE PLACE OF SALES LICENSES.—

“(1) IN GENERAL.—The Attorney General shall register an applicant to dispense a controlled substance described in paragraph (6) of schedule V at a location other than a pharmacy if the Attorney General determines that such registration is consistent with the public interest.

“(2) CONSIDERATIONS.—In determining the public interest, the Attorney General shall consider—

“(A) the applicant’s maintenance of effective controls against diversion of the controlled substance described in paragraph (6) of schedule V into other than legitimate channels equivalent to that of a pharmacy;

“(B) the applicant’s compliance with applicable State and local law, including holding a valid license issued by an appropriate State authority evidencing compliance with subparagraph (A);

“(C) the applicant’s prior conviction record under Federal and State laws; and

“(D) such other factors as may be relevant to and consistent with the public health and safety, including accessibility to rural consumers.

“(3) STATE LICENSES.—If an applicant under paragraph (1) does not have a valid State license as described in paragraph (2)(B), the Attorney General shall not register the applicant for a license under this subsection.

“(j) ALTERNATE DISPENSER LICENSES.—

“(1) IN GENERAL.—The Attorney General shall register an applicant, other than a practitioner, to dispense a controlled substance described in paragraph (6) of schedule V at a location other than a pharmacy if the Attorney General determines that such registration is consistent with the public interest.

“(2) CONSIDERATIONS.—In determining the public interest, the Attorney General shall consider—

“(A) the applicant’s compliance with applicable State and local law, including holding a license issued by an appropriate State authority evidencing a degree of suitability to dispense the controlled substance described in paragraph (6) of schedule V equivalent to that of a practitioner;

“(B) the applicant’s prior conviction record under Federal and State laws; and

“(C) such other factors as may be relevant to and consistent with the public health and safety, including accessibility to rural consumers.

“(3) STATE LICENSES.—If an applicant under paragraph (1) does not have a valid State license as described in paragraph (2)(B), the Attorney General shall not register the applicant for a license under this subsection.”.

(d) THEFT PREVENTION.—Notwithstanding paragraph (6) of schedule V of section 202 of the Controlled Substances Act (21 U.S.C. 812), as added by subsection (a), persons registered with the Drug Enforcement Administration to manufacture or distribute controlled substances shall maintain adequate security and provide effective controls and procedures to guard against theft and diversion, but shall not otherwise be required to meet the storage, reporting, record-keeping, or physical security control requirements (such as a cage or vault) for controlled substances in schedule V containing pseudoephedrine or ephedrine.

(e) STATE PENALTIES AND PEDIATRIC PRODUCTS.—Nothing in this Act shall be construed to—

(1) prevent a State or political subdivision of a State from adopting and enforcing penalties that are different from, in addition to, or otherwise not identical with, the penalties that apply under the Controlled Substances Act (28 U.S.C. 801 et seq.); or

(2) prevent a State or political subdivision of a State from permitting the sale of pediatric products containing pseudoephedrine or ephedrine, their salts or optical isomers, or salts of optical isomers where the pediatric product—

(A) is primarily intended for administration, according to label instructions, to children under 12 years of age and either—

(i) in solid dosage form, individual dosage units do not exceed 15 milligrams of ephedrine or pseudoephedrine; or

(ii) in liquid form, recommended dosage units, according to label instructions, do not exceed 15 milligrams of ephedrine or pseudoephedrine per 5 milliliters of liquid product; or

(B) is in liquid form—

(i) primarily intended for administration to children under 2 years of age;

(ii) the recommended dosage of which does not exceed 2 milliliters; and

(iii) the total package content is not more than 1 fluid ounce.

(f) EFFECTIVE DATES.—

(1) ONLY ACTIVE INGREDIENT.—This section and the amendments made by this section shall take effect with regard to any substance in which ephedrine or pseudoephedrine is the only active ingredient 90 days after the date of enactment of this Act.

(2) OTHER PRODUCTS.—This section and the amendments made by this section shall take effect with regard to any substance other than a substance described in paragraph (1) on January 1, 2007.

SEC. 711. EMPLOYER SCREENING OF EMPLOYEES WORKING WITH CONTROLLED SUBSTANCES.

Part C of the Controlled Substances Act (21 U.S.C. 821 et seq.) is amended by adding at the end the following:

“APPLICANTS AND EMPLOYEES

“SEC. 311. Persons registered with the Drug Enforcement Administration to manufacture, deliver, distribute, or dispense controlled substances shall take reasonable steps to guard against hiring persons who may, as a result of their employment, have access to and become involved in the theft and diversion of controlled substances, including, notwithstanding State law, asking applicants for employment whether they have been convicted of any crime involving or related to controlled substances.”.

Subtitle B—Education, Prevention, and Treatment

SEC. 721. GRANTS FOR SERVICES FOR CHILDREN OF SUBSTANCE ABUSERS.

Section 519 of the Public Health Service Act (42 U.S.C. 290bb-25) is amended—

(1) in subsection (b), by inserting after paragraph (8) the following:

“(9) Development of drug endangered children rapid response teams that will intervene on behalf of children exposed to methamphetamine as a result of residing or being present in a home-based clandestine drug laboratory.”; and

(2) in subsection (o)—

(A) by striking “For the purpose” and inserting the following:

“(1) IN GENERAL.—For the purpose”; and

(B) by adding at the end the following:

“(2) DRUG ENDANGERED CHILDREN RAPID RESPONSE TEAMS.—There are authorized to be appropriated \$2,500,000 for each of the fiscal years 2006 and 2007 to carry out the provisions of subsection (b)(9).”.

SEC. 722. LOCAL GRANTS FOR TREATMENT OF METHAMPHETAMINE ABUSE AND RELATED CONDITIONS.

Subpart 1 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended—

(1) by redesignating section 514 that relates to methamphetamine and appears after section 514A as section 514B;

(2) in section 514B, as redesignated—

(A) by amending subsection (a)(1) to read as follows:

“(1) GRANTS AUTHORIZED.—The Secretary may award grants to States, political subdivisions of States, American Indian Tribes, and private, nonprofit entities to provide treatment for methamphetamine abuse.”;

(B) by amending subsection (b) to read as follows:

“(b) PRIORITY FOR HIGH NEED STATES.—In awarding grants under subsection (a), the Secretary shall give priority to entities that will serve rural or urban areas experiencing an increase in methamphetamine abuse in States with addiction rates in excess of the national rate.”; and

(C) in subsection (d)(1), by striking “2000” and all that follows and inserting “2005 and such sums as may be necessary for each of fiscal years 2006 through 2009”; and

(3) by inserting after section 514B, as redesignated, the following:

“SEC. 514C. METHAMPHETAMINE RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTER.

“(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Administrator, and in consultation with the Director of the National Institutes of Health, shall award grants to, or enter into contracts with, public or private, nonprofit entities to establish a research, training, and technical assistance center to carry out the activities described in subsection (d).

“(b) APPLICATION.—A public or private, nonprofit entity seeking a grant or contract under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(c) CONDITION.—In awarding grants or entering into contracts under subsection (a), the Secretary shall ensure that not less than 1 of the centers will focus on methamphetamine abuse in rural areas.

“(d) AUTHORIZED ACTIVITIES.—Each center established under this section shall—

“(1) engage in research and evaluation of the effectiveness of treatment modalities for the treatment of methamphetamine abuse;

“(2) disseminate information to public and private entities on effective treatments for methamphetamine abuse;

“(3) provide direct technical assistance to States, political subdivisions of States, and private entities on how to improve the treatment of methamphetamine abuse; and

“(4) provide training on the effects of methamphetamine use and on effective ways of treating methamphetamine abuse to substance abuse treatment professionals and community leaders.

“(e) REPORTS.—Each grantee or contractor under this section shall annually submit a report to the Administrator that contains—

“(1) a description of the previous year’s activities of the center established under this section;

“(2) effective treatment modalities undertaken by the center; and

“(3) evidence to demonstrate that such treatment modalities were successful.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,000,000 for fiscal year 2006 and such sums as may be necessary for each of fiscal years 2007 and 2008.”.

SEC. 723. METHAMPHETAMINE PRECURSOR MONITORING GRANTS.

(a) GRANTS AUTHORIZED.—The Attorney General, acting through the Bureau of Justice Assistance, may award grants to States to establish methamphetamine precursor monitoring programs.

(b) PURPOSE.—The purpose of the grant program established under this section is to—

(1) prevent the sale of methamphetamine precursors, such as pseudoephedrine and ephedrine, to individuals in quantities so large that the only reasonable purpose of the purchase would be to manufacture methamphetamine;

(2) educate businesses that legally sell methamphetamine precursors of the need to

balance the legitimate need for lawful access to medication with the risk that those substances may be used to manufacture methamphetamine; and

(3) recalibrate existing prescription drug monitoring programs designed to track the sale of controlled substances to also track the sale of pseudoephedrine or ephedrine in any amount greater than 6 grams.

(c) USE OF GRANT FUNDS.—Grant funds awarded to States under this section may be used to—

(1) implement a methamphetamine precursor monitoring program, including hiring personnel and purchasing computer hardware and software designed to monitor methamphetamine precursor purchases;

(2) expand existing methamphetamine precursor or prescription drug monitoring programs to accomplish the purposes described in subsection (b);

(3) pay for training and technical assistance for law enforcement personnel and employees of businesses that lawfully sell substances, which may be used as methamphetamine precursors;

(4) improve information sharing between adjacent States through enhanced connectivity; or

(5) make grants to subdivisions of the State to implement methamphetamine precursor monitoring programs.

(d) APPLICATION.—Any State seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 for each of the fiscal years 2006 and 2007 to carry out the provisions of this section.

SEC. 724. AUTHORIZATION OF APPROPRIATIONS RELATING TO COPS GRANTS.

(a) IN GENERAL.—In addition to any other funds authorized to be appropriated for fiscal year 2006 for grants under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), commonly known as the COPS program, there are authorized to be appropriated \$15,000,000 for such purpose to provide training to State and local prosecutors and law enforcement agents for the investigation and prosecution of methamphetamine offenses.

(b) RURAL SET-ASIDE.—Of amounts made available under subsection (a), \$3,000,000 shall be available only for prosecutors and law enforcement agents for rural communities.

SEC. 725. EXPANSION OF METHAMPHETAMINE HOT SPOTS PROGRAM TO INCLUDE PERSONNEL AND EQUIPMENT FOR ENFORCEMENT, PROSECUTION, AND CLEANUP.

Section 1701(d) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amended—

(1) in paragraph (11) by striking “and” at the end;

(2) in paragraph (12) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(13) hire personnel and purchase equipment to assist in the enforcement and prosecution of methamphetamine offenses and the cleanup of methamphetamine-affected areas.”.

SEC. 726. SPECIAL UNITED STATES ATTORNEYS’ PROGRAM.

(a) IN GENERAL.—The Attorney General shall allocate any amounts appropriated pursuant to the authorization under subsection (c) for the hiring and training of special assistant United States attorneys.

(b) USE OF FUNDS.—The funds allocated under subsection (a) shall be used to—

(1) train local prosecutors in techniques used to prosecute methamphetamine cases, including the presentation of evidence related to the manufacture of methamphetamine;

(2) train local prosecutors in Federal and State laws involving methamphetamine manufacture or distribution;

(3) cross-designate local prosecutors as special assistant United States attorneys; and

(4) hire additional local prosecutors who—
(A) with the approval of the United States attorney, shall be cross-designated to prosecute both Federal and State methamphetamine cases;

(B) shall be assigned a caseload, whether in State court or Federal court, that gives the highest priority to cases in which—

(i) charges related to methamphetamine manufacture or distribution are submitted by law enforcement for consideration; and

(ii) the defendant has been previously convicted of a crime related to methamphetamine manufacture or distribution.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$5,000,000 for each of the fiscal years 2006 and 2007 to carry out the provisions of this section.

SA 1678. Mr. LIEBERMAN proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 191, between lines 9 and 10, insert the following:

TITLE VII—FINANCIAL RELIEF

Subtitle A—Limitation on Payments

SEC. 701. SHORT TITLE.

This subtitle may be cited as the “Hurricane Emergency Limitation on Payments (HELP) Act of 2005”.

SEC. 702. DEFINITIONS.

In this subtitle:

(1) **DISASTER.**—The term “Disaster” means the major disasters declared by the President on August 29, 2005, relating to damage caused by Hurricane Katrina.

(2) **INJURED PERSON.**—The term “injured person” means any individual or entity that suffers harm resulting from the Disaster that makes the individual or entity eligible to receive, and the individual or entity submits an application in good faith to receive—

(A) housing assistance under section 408(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(b));

(B) financial assistance to address other needs under section 408(e) of that Act (42 U.S.C. 5174(e));

(C) unemployment assistance under section 410 of that Act (42 U.S.C. 5177) (as amended by subtitle C);

(D) a disaster loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); or

(E) an emergency loan made under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

SEC. 703. MORATORIUM ON PAYMENTS.

(a) **IN GENERAL.**—Except as otherwise provided in this subtitle, no injured person shall be subject to a penalty or a requirement to pay interest for a failure of the injured person, as a result of the Disaster, to make timely payment of a financial obligation for any loan made, subsidized, or guaranteed by the United States.

(b) **APPLICABILITY TO LOANS.**—The moratorium under subsection (a) shall not apply to any loan made to or assumed by an injured person on or after August 29, 2005.

(c) **PERIOD OF EFFECTIVENESS.**—The moratorium under subsection (a) shall apply in

accordance with section 761 to the failure of an injured person to make timely payments.

(d) **ELIGIBILITY.**—If a Federal agency responsible for administering a benefit program referred to in section 702(2) determines that an individual or entity that has applied to receive a benefit under the program is not eligible to receive the benefit, the individual or entity, for purposes of the moratorium under subsection (a), shall cease to be considered an injured person as of the date on which the individual or entity receives notice of the determination of the Federal agency.

(e) **FEDERAL RESPONSIBILITY.**—In the case of a moratorium on payments on a loan subsidized or guaranteed by the United States, nothing in this section excuses the United States from any liability of the United States to the lender under the terms of the agreement between the United States and the lender.

(f) **EFFECT OF OTHER LAW.**—The moratorium under subsection (a) shall apply to an injured person only if, and to the extent that, the injured person is not excused from, or eligible to be excused from, the obligation under other applicable law.

Subtitle B—Individual and Household Assistance

SEC. 711. INDIVIDUAL AND HOUSEHOLD ASSISTANCE.

(a) **MAXIMUM AMOUNTS.**—Notwithstanding section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174), in providing assistance to individuals and households affected by Hurricane Katrina, the President may waive the limitation on total assistance under subsection (h) of that section.

(b) **MORTGAGE AND RENTAL ASSISTANCE.**—

(1) **IN GENERAL.**—During the 18-month period beginning on the date of enactment of this Act, the President may provide assistance in the form of mortgage or rental payments for persons described in paragraph (2).

(2) **ELIGIBLE PERSONS.**—Assistance under paragraph (1) may be provided to any individual or household that—

(A) resided on August 29, 2005, in an area that is subject to a declaration by the President of a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

(B) as a result of financial hardship caused by a major disaster described in subparagraph (A), is subject to dispossession or eviction from a residence due to foreclosure of a mortgage or lien or termination of a lease entered into before the date on which the major disaster is declared.

(c) **TYPES OF HOUSING ASSISTANCE.**—No limitation relating to the maximum amount of assistance under paragraph (2) or (3) of section 408(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)) shall apply with respect to major disaster FEMA-1603-DR-Louisiana, FEMA-1604-DR-Mississippi, or FEMA-1605-DR-Alabama.

(d) **FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.**—Notwithstanding section 408(g)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(g)(2)), in the case of financial assistance provided under subsection (e) of that section to any individual or household in response to a major disaster referred to in subsection (c), the Federal share shall be 100 percent.

Subtitle C—Unemployment Assistance

SEC. 721. UNEMPLOYMENT ASSISTANCE.

Section 410 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177) is amended by striking the section heading and all that follows through

the end of subsection (a) and inserting the following:

“SEC. 410. UNEMPLOYMENT ASSISTANCE.

“(a) **PROVISION OF UNEMPLOYMENT ASSISTANCE.**—

“(1) **ASSISTANCE.**—

“(A) **IN GENERAL.**—The President shall provide to any individual unemployed as a result of a major disaster such benefit assistance as the President determines to be appropriate.

“(B) **LOCATION OF EMPLOYMENT.**—An individual that is unemployed as a result of a major disaster as determined under subparagraph (A) may receive assistance under this subsection regardless of whether the individual was employed at a location within the declared disaster area.

“(C) **REASON FOR UNEMPLOYMENT.**—For purposes of this subsection, an individual who is unemployed because a loss of business resulting from a major disaster contributed importantly to the employer's decision to reduce or terminate employment shall be considered to be an individual unemployed as a result of a major disaster.

“(D) **ELIGIBILITY.**—An individual shall be eligible to receive assistance under this subsection regardless of whether the individual is eligible to receive, or has exhausted eligibility for, State unemployment compensation.

“(2) **AVAILABILITY.**—Assistance provided to an unemployed individual under paragraph (1) shall be available as long as the unemployment of the individual caused by the major disaster continues, or until the individual is reemployed in at least a comparable position, but not longer than 52 weeks after the date on which the unemployed individual first receives assistance.

“(3) **MAXIMUM AND MINIMUM WEEKLY AMOUNTS.**—The amount of assistance provided to an unemployed individual under this subsection for each week of unemployment shall be—

“(A) unless the amount is less than the amount described in subparagraph (B), not more than the maximum weekly amount authorized under the unemployment compensation law of the State in which the disaster occurred; and

“(B) not less than the national average weekly unemployment benefit provided to an individual as of the date of the major disaster for which unemployment assistance is provided.

“(4) **PERIOD FOR APPLICATION.**—The President shall accept applications for assistance under this subsection for—

“(A) the 90-day period beginning on the date on which the applicable major disaster is declared; or

“(B) such longer period as may be established by the President.

“(5) **COOPERATION WITH STATES.**—The President shall provide assistance under this subsection through agreements with States that, in the judgment of the President, have an adequate system for administering the assistance through existing State agencies.”.

Subtitle D—Tax Relief

SEC. 731. REQUIRED EXERCISE OF AUTHORITY UNDER SECTION 7508A FOR TAX RELIEF FOR VICTIMS OF HURRICANE KATRINA.

In the case of any taxpayer determined by the Secretary of the Treasury to be affected by the Presidentially declared disaster relating to Hurricane Katrina, the Secretary of the Treasury shall specify a period under section 7508A of the Internal Revenue Code of 1986 of not less than 6 months beginning on August 29, 2005, that may be disregarded with respect to all of the acts described in section 7508(a)(1) of such Code and amounts described in paragraph (2) of section 7508A(a)

of such Code relating to any employment tax liability of the taxpayer.

SEC. 732. PENALTY FREE WITHDRAWALS FROM RETIREMENT PLANS FOR VICTIMS OF HURRICANE KATRINA.

(a) **EXCLUSION FROM INCOME OF CERTAIN DISTRIBUTIONS WHICH ARE REPAYED.**—Section 72 of the Internal Revenue Code of 1986 (relating to individual retirement accounts) is amended by redesignating subsection (x) as subsection (y) and by inserting after subsection (w) the following new subsection:

“(x) **REPAYABLE DISTRIBUTIONS FROM QUALIFIED RETIREMENT PLANS FOR VICTIMS OF HURRICANE KATRINA.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of this section, gross income shall not include any qualified distribution.

“(2) **REPAYMENT REQUIREMENT.**—

“(A) **ADDITION TO TAX.**—If the required recontributions made by the taxpayer during the repayment period are less than the qualified distribution, the tax imposed by this chapter for the last taxable year in the repayment period shall be increased by the amount determined under subparagraph (B).

“(B) **DETERMINATION OF AMOUNT.**—The amount determined under this subparagraph shall be an amount which bears the same ratio to the tax benefit amount as—

“(i) the excess (if any) of the qualified distribution over required recontributions made during the repayment period, bears to

“(ii) the qualified distribution.

“(C) **REPAYMENT PERIOD.**—For purposes of this subsection, the term ‘repayment period’ means, with respect to any qualified distribution, the 5-taxable year period beginning after the taxable year in which such distribution is received.

“(D) **TAX BENEFIT AMOUNT.**—For purposes of this subsection, the term ‘tax benefit amount’ means, with respect to any qualified distribution, the aggregate reduction in the tax imposed by this chapter for the taxable year in which such distribution is received by reason of the exclusion under paragraph (1).

“(3) **QUALIFIED DISTRIBUTION.**—For purposes of this subsection, the term ‘qualified distribution’ means any distribution to an individual who has a principal place of abode within the area designated as a disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act in connection with Hurricane Katrina—

“(A) if such distribution is made during the 6-month period beginning on the date such declaration is made, and

“(B) to the extent such distribution does not exceed the excess of—

“(i) the amount of expenses incurred as a result of such disaster, over

“(ii) the amount of such expenses which are compensated for by insurance or otherwise.

“(4) **RECONTRIBUTION OF QUALIFIED DISTRIBUTIONS.**—

“(A) **IN GENERAL.**—If an individual received a qualified distribution, such individual shall make required recontributions in the manner provided in this paragraph to an individual retirement plan maintained for the benefit of such individual.

“(B) **METHOD OF MAKING RECONTRIBUTION.**—Any required recontribution—

“(i) shall be made during the repayment period for the qualified distribution,

“(ii) shall not exceed the qualified distribution reduced by any prior recontribution under this paragraph with respect to such distribution, and

“(iii) shall be made by making a payment in cash to the qualified retirement plan from which the qualified distribution was made.

An individual making a required recontribution under this paragraph shall designate (in

the manner prescribed by the Secretary) such contribution as a required recontribution under this paragraph and shall specify the qualified distribution with respect to which such recontribution is being made.

“(C) **TREATMENT OF CONTRIBUTION.**—For purposes of this title, any required recontribution under this paragraph shall not be taken into account for purposes of any limitation on contributions to a qualified retirement plan (as so defined).

“(5) **OTHER SPECIAL RULES.**—

“(A) **BASIS RULES NOT AFFECTED.**—The tax treatment under this chapter of any distribution (other than a qualified distribution) shall be determined as if this subsection had not been enacted.

“(B) **AGGREGATION RULE.**—For purposes of this subsection, all qualified distributions received by an individual during a taxable year shall be treated as a single distribution.”

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to distributions received after the date of the enactment of this Act, in taxable years ending after such date.

Subtitle D—Hurricane Katrina Food Assistance Relief

SEC. 741. SHORT TITLE.

This subtitle may be cited as the “Hurricane Katrina Food Assistance Relief Act of 2005”.

SEC. 742. DEFINITION OF SECRETARY.

In this subtitle, the term “Secretary” means the Secretary of Agriculture.

SEC. 743. FOOD STAMP PROGRAM DISASTER AUTHORITY.

(a) **IN GENERAL.**—Section 5(h) of the Food Stamp Act of 1977 (7 U.S.C. 2014(h)) is amended by adding at the end the following:

“(4) **RESPONSE TO HURRICANE KATRINA.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **AFFECTED AREA.**—

“(I) **IN GENERAL.**—The term ‘affected area’ means an area of a State that the Secretary determines was affected by Hurricane Katrina or a related condition.

“(II) **INCLUSION.**—The term ‘affected area’ includes any area that, as a result of Hurricane Katrina or a related condition, was covered by—

“(aa) a natural disaster declaration under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

“(bb) a major disaster or emergency designation under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(ii) **AFFECTED HOUSEHOLD.**—

“(I) **IN GENERAL.**—The term ‘affected household’ means a household—

“(aa) in an affected area;

“(bb) in which a member worked immediately prior to August 29, 2005, in an affected area; or

“(cc) that was displaced as a result of Hurricane Katrina or a related condition to other areas of the same or another State.

“(II) **INCLUSION.**—The term ‘affected household’ includes a household containing 1 or more individuals that were displaced as a result of Hurricane Katrina or a related condition, as determined by the Secretary.

“(iii) **DISASTER RECOVERY PERIOD.**—

“(I) **IN GENERAL.**—The term ‘disaster recovery period’ means the period of 180 days beginning on the date of enactment of this paragraph.

“(II) **EXTENSION.**—The disaster recovery period shall be extended for another 180 days unless the President determines that the extension is not necessary to fully meet the needs of affected households.

“(B) **DISASTER RECOVERY PERIOD.**—During the disaster recovery period—

“(i) clauses (iv) and (v) of subsection (g)(2)(B), subsections (d) and (o) of section 6,

and section 8(c)(1) shall not apply to affected households;

“(ii) the application of an affected household shall be processed under the procedures established under section 11(e)(9);

“(iii) at the option of the State agency, the State agency may increase the value to the affected household of the thrifty food plan determined under section 3(o) by 6 percent when calculating the value of the allotment for an affected household under section 8(a), in lieu of making the adjustment otherwise required by clause (iv);

“(iv) except in the case of a household to which clause (iii) applies, the State agency shall calculate the income of an affected household using a standard deduction of \$323 in lieu of the deduction provided under subsection (e)(1);

“(v) the Secretary shall pay each State agency an amount equal to 100 percent of administrative costs allowable under section 16(a) related to serving affected households in lieu of the payments section 16(a) would otherwise require for those costs;

“(vi) an affected household shall be considered to meet the requirements of subsection (c)(2) if the income of the affected household, as calculated under subsection (c)(2), does not exceed the level permitted under subsection (c)(1) by more than 50 percent;

“(vii) any funds designated for rebuilding or relocation (including payments from Federal, State, or local governments, charitable organizations, employers, or insurance companies) shall be excluded from consideration under subsection (g) in determining the eligibility of an affected household; and

“(viii) an affected household may not be considered to customarily purchase food and prepare meals together with other individuals if the affected household did not customarily purchase food and prepare meals for home consumption with those individuals immediately prior to August 29, 2005.

“(C) **DUPLICATE PARTICIPATION.**—

“(i) **IN GENERAL.**—The Secretary shall take such actions as are prudent and reasonable under the circumstances to identify affected households that are participating in more than 1 State and to terminate the duplicate participation of those households.

“(ii) **NO ACTION TAKEN.**—Except in the case of deliberate falsehoods, no action may be taken against any affected household relating to any duplicate participation during the disaster recovery period that takes place prior to termination under clause (i).

“(D) **CLAIMS RELATING TO BENEFITS.**—Except in the case of intentional program violations as determined under section 6(b), no claim may be established under section 13(b) relating to benefits issued under this subsection.

“(E) **PAYMENT ERROR RATE.**—For purposes of determining the payment error rate of a State agency under section 16(c), the Secretary shall disregard any errors resulting from the application of this paragraph to an affected household during the disaster recovery period.

“(F) **SAVINGS CLAUSE.**—This paragraph shall not apply in any area of a State to the extent that there is in effect in the area an emergency food stamp plan approved by the Secretary that is more generous than the assistance provided under this paragraph.”

(b) **PROGRAM INFORMATION ACTIVITIES.**—

(1) **IN GENERAL.**—From funds otherwise appropriated for the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use not more than \$5,000,000 for the period of fiscal year 2005 through 2006 to enter into contracts with nonprofit organizations to provide affected households (as defined in section 5(h)(4)(A)(i) of the Food Stamp Act of

1977 (as added by subsection (a)) with information about and assistance in completing the application process for any food assistance programs for which the Secretary provides funds or commodities.

(2) **EXPEDITING PROVISIONS.**—Notwithstanding any other provision of law, the Secretary shall not be required—

(A) to provide public notice of the availability of funds described in paragraph (1); or

(B) to accept competitive bids for contracts under this subsection.

SEC. 744. EMERGENCY FOOD ASSISTANCE PROGRAM AND SECTION 32 ASSISTANCE.

(a) **DEFINITION OF ELIGIBLE RECIPIENT.**—In this section, the term “eligible recipient” means an individual or household that, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) is a victim of Hurricane Katrina or a related condition;

(2) has been displaced by Hurricane Katrina or a related condition; or

(3) is temporarily housing 1 or more individuals displaced by Hurricane Katrina or a related condition.

(b) **ASSISTANCE.**—

(1) **IN GENERAL.**—In addition to funds already obligated to carry out the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.), the Secretary, in consultation with the Secretary of Homeland Security, shall use not more than \$200,000,000 of funds made available under that Act to provide a variety of food to eligible recipient agencies for providing food assistance to eligible recipients, including—

(A) special supplemental foods for pregnant women and infants or for other individuals with special needs;

(B) infant formula;

(C) bottled water; and

(D) fruit juices.

(2) **USE OF FUNDS.**—Funds made available under paragraph (1) may be used to provide commodities in accordance with—

(A) section 27 of the Food Stamp Act of 1977 (7 U.S.C. 2036);

(B) section 203A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7504); and

(C) section 204 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508).

(c) **SECTION 32 FUNDING.**—In addition to funds obligated for fiscal years 2005 and 2006 under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), the Secretary shall use not more than \$200,000,000 of funds made available under that section to provide food assistance to eligible recipients, including food described in subparagraphs (A) through (D) of subsection (b)(1).

SEC. 745. WIC FUNDING.

(a) **IN GENERAL.**—In addition to other funds made available to the Secretary for fiscal year 2005 or 2006 to carry out the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), there is authorized to be appropriated \$200,000,000, to remain available until September 30, 2007.

(b) **EMERGENCY DESIGNATION.**—The amounts made available by the transfer of funds in or pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

(c) **ALLOCATION OF FUNDS.**—Notwithstanding section 17(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(i)), the Secretary may allocate funds made available under subsection (a) as the Secretary determines to be necessary to provide assistance to women, infants, and children who, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) are victims of Hurricane Katrina or a related condition; or

(2) have been displaced by Hurricane Katrina or a related condition.

SEC. 746. REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(1) describes whether additional funding or authority is needed to continue to address the food needs of eligible recipients; and

(2) includes any determination by the President under section 5(h)(4)(A)(iii)(II) of the Food Stamp Act of 1977 (as added by section 743(a)) that an extension of the disaster recovery period is not necessary to fully meet the needs of affected households.

SEC. 747. REGULATIONS.

(a) **IN GENERAL.**—The Secretary may promulgate such regulations as are necessary to implement this subtitle.

(b) **PROCEDURE.**—The promulgation of the regulations and administration of this subtitle shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) **CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.**—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

Subtitle E—Bankruptcy Relief

SEC. 751. BANKRUPTCY RELIEF FOR VICTIMS OF HURRICANE KATRINA.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the provisions of title 11, United States Code, as in effect on August 29, 2005, shall apply to any case described in subsection (b).

(b) **ELIGIBILITY.**—A case described in this subsection is a case commenced during the 12-month period beginning on the effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, under title 11, United States Code (other than under chapter 12 of that title 11), by or on behalf of a debtor—

(1) who resides, or who resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster, as defined under section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) in connection with Hurricane Katrina; and

(2) whose financial condition is materially adversely affected by the major disaster.

Subtitle F—Administrative Matters

SEC. 761. PERIOD OF AVAILABILITY OF BENEFITS.

(a) **IN GENERAL.**—Except as otherwise provided by this title or an amendment made by this title, a benefit or assistance provided by any provision of this title or an amendment made by this title shall be available through the date that is 180 days after the date of enactment of this Act.

(b) **AUTOMATIC EXTENSION.**—The period during which a benefit or assistance described in subsection (a) is available shall be automatically extended for an additional 180 days, beginning on the date that is 181 days after the date of enactment of this Act (or any earlier date on which such period expires under a provision of this title or an amendment

made by this title), unless the President determines that the extension of the availability of the benefit or assistance is not necessary to fully meet the needs of individuals and households affected by Hurricane Katrina or a related condition.

(c) **REPORT.**—If the President determines that an extension is not necessary under subsection (b), the President shall submit to Congress a report describing the determination.

SEC. 762. NONDISCRIMINATION.

Each recipient of Federal funds made available pursuant to this title or an amendment made by this title, in carrying out programs and activities with those funds, shall comply with all Federal laws (including regulations) prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, or disability, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.). Each recipient of Federal funds made available pursuant to this Act or an amendment made by this Act, in carrying out programs and activities with those funds, shall comply with all Federal laws (including regulations) prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, or disability, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

SA 1679. Mr. KERRY (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5. SMALL BUSINESS EMERGENCY RELIEF.

(a) **DEFINITIONS.**—As used in this section—

(1) the term “covered loan” means a loan or loan guarantee by the Administration—

(A) under section 7(a) of the Small Business Act or section 503 of the Small Business Investment Act of 1958; and

(B) to a small business concern that—

(i) is located in a disaster area; and

(ii) has been adversely affected by Hurricane Katrina;

(2) the term “disaster area” means an area declared as a disaster area as a result of Hurricane Katrina of August 2005;

(3) the term “small business concern” has the same meaning as in section 3 of the Small Business Act; and

(4) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively.

(b) **TEMPORARY DEFERMENT OF PRINCIPAL AND INTEREST ON DISASTER LOANS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Administration shall, during the 2-year period following the date of issuance of a loan issued under section 7(b) of the Small Business Act related to Hurricane Katrina of August 2005, defer payments of principal and interest on the loan (and no interest shall accrue thereon during such period).

(2) **RESUMPTION OF PAYMENTS.**—Unless the Administrator finds an extension necessary or appropriate, at the end of the 2-year period described in paragraph (1), the payment of periodic installments of principal and interest shall be required with respect to a loan issued under section 7(b) of the Small Business Act, in the same manner and subject to the same terms and conditions as would otherwise be applicable to such loan.

(c) DISASTER LOANS FOLLOWING HURRICANE KATRINA.—

(1) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting immediately before the undesignated material following paragraph (3) the following:

“(4) DISASTER LOANS AFTER HURRICANE KATRINA.—

“(A) REFINANCING DISASTER LOANS.—

“(i) IN GENERAL.—Any loan made under this subsection that was outstanding as to principal or interest on August 24, 2005, may be refinanced by a small business concern that is located in an area designated as a disaster area as a result of Hurricane Katrina of 2005 (in this paragraph referred to as the ‘disaster area’) and that is adversely affected by Hurricane Katrina, and the refinanced amount shall be considered to be part of a new loan for purposes of this subparagraph.

“(ii) NO EFFECT ON ELIGIBILITY.—A refinancing under clause (i) by a small business concern shall be in addition to any other loan eligibility for that small business concern under this Act.

“(B) REFINANCING BUSINESS DEBT.—

“(i) IN GENERAL.—Any business debt of a small business concern that was outstanding as to principal or interest on August 24, 2005, may be refinanced by the small business concern if it is located (or was located on August 24, 2005) in a disaster area and was adversely affected by Hurricane Katrina. With respect to a refinancing under this clause, payments of principal may be deferred, and interest may accrue, during the 1-year period following the date of refinancing.

“(ii) RESUMPTION OF PAYMENTS.—At the end of the 1-year period described in clause (i), the payment of periodic installments of principal and interest on a refinancing under clause (i) shall be required with respect to such refinancing, in the same manner and subject to the same terms and conditions as would otherwise be applicable to any other loan made under this subsection.

“(C) TERMS.—A loan under this paragraph shall be made at the same interest rate as economic injury loans under paragraph (2). Any reasonable doubt concerning the repayment ability of an applicant under this paragraph shall be resolved in favor of the applicant.

“(5) INCREASED LOAN CAPS.—

“(A) AGGREGATE LOAN AMOUNTS.—Except as provided in subparagraph (B), and in addition to amounts otherwise authorized by this Act, the loan amount outstanding and committed to a borrower under this subsection may not exceed \$10,000,000, with respect to a small business concern that is located in an area designated as a disaster area following Hurricane Katrina of August 2005, and that has been adversely affected by Hurricane Katrina.

“(B) WAIVER AUTHORITY.—The Administrator may, at the discretion of the Administrator, waive the aggregate loan amount established under subparagraph (A).

“(6) EXTENDED APPLICATION PERIOD FOR HURRICANE KATRINA ASSISTANCE.—Notwithstanding any other provision of law, the Administrator shall accept applications for a loan under this subsection by a small business concern that is located in an area designated as a disaster area as a result of Hurricane Katrina and that has been adversely affected by Hurricane Katrina, until 1 year after the date on which the area was designated as a disaster area.”.

(2) CLERICAL AMENDMENTS.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended in the undesignated matter at the end—

(A) by striking “, (2), and (4)” and inserting “and (2)”;

(B) by striking “, (2), or (4)” and inserting “(2)”.

(d) ASSUMPTION OF PAYMENTS FOR EXISTING SBA LOANS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, during the 2-year period beginning on the date of enactment of this Act, the Administration shall, in the case of a covered loan issued before the date of enactment of this Act, make all periodic payments, including interest, with respect to such covered loan on behalf of the borrower.

(2) RESUMPTION OF PAYMENTS.—Unless the Administrator finds an extension necessary or appropriate, at the end of the 2-year period described in paragraph (1), no further payments shall be made on behalf of the borrower with respect to a covered loan.

(e) SUPPLEMENTAL EMERGENCY LOANS.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

“(32) SUPPLEMENTAL EMERGENCY LOANS AFTER HURRICANE KATRINA.—

“(A) LOAN AUTHORITY.—In addition to any other loan authorized by this subsection, the Administrator may make such loans under this subsection (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administrator determines appropriate to a small business concern adversely affected by Hurricane Katrina of August 2005.

“(B) FEES.—

“(i) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall, in lieu of the fee established under paragraph (23)(A), collect an annual fee of 0.25 percent of the outstanding balance of deferred participation loans made under this subsection to qualified borrowers for a period of 2 years after the date of enactment of this paragraph.

“(ii) GUARANTEE FEES.—Notwithstanding any other provision of law, the guarantee fee under paragraph (18)(A) for a period of 2 years after the date of enactment of this subparagraph shall be as follows:

“(I) A guarantee fee equal to 1 percent of the deferred participation share of a total loan amount that is not more than \$150,000.

“(II) A guarantee fee equal to 2.5 percent of the deferred participation share of a total loan amount that is more than \$150,000, but not more than \$700,000.

“(III) A guarantee fee equal to 3.5 percent of the deferred participation share of a total loan amount that is more than \$700,000.”.

(f) LOWERING OF FEES.—

(1) APPROPRIATED AMOUNT.—There is authorized to be appropriated to the Administration \$79,000,000, to remain available until expended, to carry out section 7(a)(23) of the Small Business Act, as amended by this subsection.

(2) FEES.—Section 7(a)(23) of the Small Business Act (15 U.S.C. 636(a)(23)) is amended by striking subparagraph (C) and inserting the following:

“(C) LOWERING OF FEES.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii)—

“(I) The Administrator shall reduce fees paid by small business borrowers and lenders under clauses (i) and (iv) of paragraph (18)(A) and subparagraph (A) of this paragraph; and

“(II) fees paid by small business borrowers and lenders shall not be increased above the levels in effect on the date of enactment of the Consolidated Appropriations Act, 2005.

“(ii) DETERMINATIONS.—A reduction in fees under clause (i) shall occur in any case in which the fees paid by all small business borrowers and by lenders for guarantees under this subsection, or the sum of such fees plus any amount appropriated to carry out this subsection, as applicable, is more than the

amount necessary to equal the cost to the Administration of making such guarantees.”.

(g) BRIDGE LOANS.—There is authorized to be appropriated \$400,000,000 to provide, through appropriate government agencies in affected States, bridge grants and loans to make necessary loans or grants to assist small business concerns that are located in a disaster area and that are adversely affected by Hurricane Katrina, until such business concerns are able to obtain loans through Administration assistance programs or other sources.

(h) CONTRACTING PROTECTION AND ASSISTANCE.—

(1) HUBZONES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a small business concern that is located in a disaster area and that has been adversely affected by Hurricane Katrina shall be treated as being located in a HUBZone for purposes of the program under section 31 of the Small Business Act (15 U.S.C. 658).

(B) TERMINATION.—Subparagraph (A) is repealed effective on the date that is 1 day after the date on which the declaration of the disaster area in response to Hurricane Katrina is lifted.

(2) SMALL BUSINESS PARTICIPATION.—

(A) IN GENERAL.—For any contract awarded by the Department of Homeland Security relating to the aftermath of Hurricane Katrina, the Secretary of Homeland Security (in this paragraph referred to as the “Secretary”) shall—

(i) afford small business concerns the maximum practicable opportunity to participate in the performance of such contract; and

(ii) ensure that such contract complies with the subcontracting goals for small business concerns in the Small Business Act and the Federal Acquisition Regulations.

(B) LOCAL PRESENCE.—The Secretary shall make a determination on the advisability of requiring a local presence for small business concerns selected as subcontractors under contracts described in subparagraph (A).

(C) GOAL.—The Secretary shall set a goal of awarding not less than 30 percent of the funds awarded under contracts described in subparagraph (A) to small business concerns.

(3) BONDING THRESHOLDS.—For any contract awarded by the Department of Homeland Security relating to the aftermath of Hurricane Katrina, the Administrator—

(A) may, upon such terms and conditions as the Administrator may prescribe, guarantee and enter into commitments to guarantee any surety against loss resulting from a breach of terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by a principal on any contract up to \$5,000,000; and

(B) shall ensure such guarantee complies with subsection (a)(4) and subsections (b) through (e) of section 411 of the Small Business Investment Act (15 U.S.C. 694b).

(4) DEFINITION.—In this subsection, the term “small business concern” has the same meaning as in section 3 of the Small Business Act (15 U.S.C. 632).

(i) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) SPECIAL AUTHORIZATIONS OF APPROPRIATIONS FOLLOWING HURRICANE KATRINA.—

(A) FISCAL YEAR 2006.—In addition to any other amounts authorized for any fiscal year, there are authorized to be appropriated to the Administration, to remain available until expended, for fiscal year 2006—

(i) \$21,000,000, to be used for activities of small business development center pursuant to section 21 of the Small Business Act, \$15,000,000 of which shall be non-matching funds and used to aid and assist small business concerns affected by Hurricane Katrina;

(ii) \$2,000,000, to be used for SCORE program authorized by section 8(b)(1) of the Small Business Act, for the activities described in section 8(b)(1)(B)(ii) of that Act, \$1,000,000 of which shall be used to aid and assist small business concerns affected by Hurricane Katrina;

(iii) \$4,500,000, to be used for activities of women's business center authorized by section 29(b)(4) of the Small Business Act, \$2,500,000 of which shall be non-matching funds used to aid and assist small business concerns affected by Hurricane Katrina; and

(iv) \$1,250,000, to be used for activities of the office of veteran's business development pursuant to section 32 of the Small Business Act, \$750,000 of which shall be used to aid and assist small business concerns affected by Hurricane Katrina.

(B) OTHER FISCAL YEARS.—In addition to any other amounts authorized for any fiscal year, there are authorized to be appropriated to the Administration, to remain available until expended, for fiscal year 2006 and each fiscal year thereafter, such sums as may be necessary to carry out this section and the amendments made by this section, including necessary loan capital and funds for administrative expenses related to making and servicing loans authorized by this section and the amendments made by this section.

(2) BUSINESS LOAN PROGRAMS.—Section 20(e)(1)(B) of the Small Business Act (15 U.S.C. 631 note) is amended—

(A) by striking “\$17,000,000” and inserting “\$20,000,000,000”; and

(B) by striking “\$7,500,000,000” and inserting “\$10,000,000,000”.

(j) DISASTER LOAN ADDITIONAL AMOUNTS.—In addition to any other amounts otherwise appropriated for such purpose, there is authorized to be appropriated to the Administration \$60,000,000, to make loans to make covered loans under section 7(b) of the Small Business Act.

(k) DEVELOPMENT CENTERS.—In addition to any other amounts otherwise appropriated for such purpose, there is authorized to be appropriated to the Administration \$15,000,000 to assist small business development centers under section 21 of the Small Business Act located in a disaster area, and in other States or areas that have sent resources or personnel to directly assist with disaster relief in such disaster areas.

(1) SMALL BUSINESS AND FARM ENERGY EMERGENCY DISASTER LOAN PROGRAM.—

(1) SMALL BUSINESS DISASTER LOAN AUTHORITY.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after paragraph (6), as added by this section, the following:

“(7)(A) For purposes of this paragraph—

“(i) the term ‘base price index’ means the moving average of the closing unit price on the New York Mercantile Exchange for heating oil, natural gas, gasoline, or propane for the 10 days, in each of the most recent 2 preceding years, which correspond to the trading days described in clause (ii);

“(ii) the term ‘current price index’ means the moving average of the closing unit price on the New York Mercantile Exchange, for the 10 most recent trading days, for contracts to purchase heating oil, natural gas, gasoline, or propane during the subsequent calendar month, commonly known as the ‘front month’;

“(iii) the term ‘significant increase’ means—

“(I) with respect to the price of heating oil, natural gas, gasoline, or propane, any time the current price index exceeds the base price index by not less than 40 percent; and

“(II) with respect to the price of kerosene, any increase which the Administrator, in consultation with the Secretary of Energy, determines to be significant; and

“(iv) a small business concern engaged in the heating oil business is eligible for a loan, if the small business concern sells not more than 10,000,000 gallons of heating oil per year.

“(B) The Administration may make such loans, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis, to assist a small business concern that has suffered or that is likely to suffer substantial economic injury on or after January 1, 2005, as the result of a significant increase in the price of heating oil, natural gas, gasoline, propane, or kerosene occurring on or after January 1, 2005.

“(C) Any loan or guarantee extended pursuant to this paragraph shall be made at the same interest rate as economic injury loans under paragraph (2).

“(D) No loan may be made under this paragraph, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis, if the total amount outstanding and committed to the borrower under this subsection would exceed \$1,500,000, unless such borrower constitutes a major source of employment in its surrounding area, as determined by the Administration, in which case the Administration, in its discretion, may waive the \$1,500,000 limitation.

“(E) For purposes of assistance under this paragraph—

“(i) a declaration of a disaster area based on conditions specified in this paragraph shall be required, and shall be made by the President or the Administrator; or

“(ii) if no declaration has been made pursuant to clause (i), the Governor of a State in which a significant increase in the price of heating oil, natural gas, gasoline, propane, or kerosene has occurred may certify to the Administration that small business concerns have suffered economic injury as a result of such increase and are in need of financial assistance which is not otherwise available on reasonable terms in that State, and upon receipt of such certification, the Administration may make such loans as would have been available under this paragraph if a disaster declaration had been issued.

“(F) Notwithstanding any other provision of law, loans made under this paragraph may be used by a small business concern described in subparagraph (B) to convert from the use of heating oil, natural gas, gasoline, propane, or kerosene to a renewable or alternative energy source, including agriculture and urban waste, geothermal energy, cogeneration, solar energy, wind energy, or fuel cells.”

(2) CONFORMING AMENDMENTS.—Section 3(k) of the Small Business Act (15 U.S.C. 632(k)) is amended—

(A) by inserting “, significant increase in the price of heating oil, natural gas, gasoline, propane, or kerosene” after “civil disorders”; and

(B) by inserting “other” before “economic”.

(3) REPORT.—Not later than 12 months after the date on which the Administrator of the Small Business Administration issues guidelines under subsection (n)(1), and annually thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, a report on the effectiveness of the assistance made available under section 7(b)(7) of the Small Business Act, as added by this subsection, including—

(A) the number of small business concerns that applied for a loan under such section 7(b)(7) and the number of those that received such loans;

(B) the dollar value of those loans;

(C) the States in which the small business concerns that received such loans are located;

(D) the type of energy that caused the significant increase in the cost for the participating small business concerns; and

(E) recommendations for ways to improve the assistance provided under such section 7(b)(7), if any.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply during the 4-year period beginning on the earlier of the date on which guidelines are published by the Administrator of the Small Business Administration under subsection (n), or 30 days after the date of enactment of this Act, with respect to assistance under section 7(b)(7) of the Small Business Act, as added by this subsection.

(m) FARM ENERGY EMERGENCY RELIEF.—

(1) IN GENERAL.—Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(A) in the first sentence—

(i) by striking “operations have” and inserting “operations (i) have”; and

(ii) by inserting before “: Provided,” the following: “, or (ii)(I) are owned or operated by such an applicant that is also a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), and (II) have suffered or are likely to suffer substantial economic injury on or after January 1, 2005, as the result of a significant increase in energy costs or input costs from energy sources occurring on or after January 1, 2005, in connection with an energy emergency declared by the President or the Secretary”;

(B) in the third sentence, by inserting before the period at the end the following: “or by an energy emergency declared by the President or the Secretary”; and

(C) in the fourth sentence—

(i) by inserting “or energy emergency” after “natural disaster” each place that term appears; and

(ii) by inserting “or declaration” after “emergency designation”.

(2) FUNDING.—Funds available on the date of enactment of this Act for emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) shall be available to carry out the amendments made by subparagraph (A) to meet the needs resulting from natural disasters.

(3) REPORT.—Not later than 12 months after the date on which the Secretary of Agriculture issues guidelines under subsection (n)(1), and annually thereafter, the Secretary shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Agriculture, Nutrition, and Forestry of the Senate and to the Committee on Small Business and the Committee on Agriculture of the House of Representatives, a report that—

(A) describes the effectiveness of the assistance made available under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)), as amended by this section; and

(B) contains recommendations for ways to improve the assistance provided under such section 321(a).

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply during the 4-year period beginning on the earlier of the date on which guidelines are published by the Secretary of Agriculture under subsection (n), or 30 days after the date of enactment of this Act, with respect to assistance under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)), as amended by this subsection.

(n) GUIDELINES AND RULEMAKING.—

(1) GUIDELINES.—Not later than 30 days after the date of enactment of this Act, the

Administrator of the Small Business Administration and the Secretary of Agriculture shall each issue guidelines to carry out subsections (l) and (m), and the amendments made thereby, which guidelines shall become effective on the date of their issuance.

(2) RULEMAKING.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration, after consultation with the Secretary of Energy, shall promulgate regulations specifying the method for determining a significant increase in the price of kerosene under section 7(b)(7)(A)(iii)(II) of the Small Business Act (15 U.S.C. 636(b)), as added by subsection (l).

(o) EMERGENCY SPENDING.—Appropriations under this section are emergency spending, as provided under section 402 of H. Con. Res. 95 (108th Congress).

SA 1680. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, beginning on line 24, strike “duties;” and insert the following: “duties: *Provided further*, That not later than 30 days after the date of enactment of this Act, the United States Trade Representative shall make a determination as to whether the distribution of funds pursuant to section 754 of the Tariff Act of 1930 (19 U.S.C. 1675c) is inconsistent with the obligations of the United States as a Member of the World Trade Organization and report that determination to Congress and if the determination of the United States Trade Representative is that the distribution of funds pursuant to such section 754 is inconsistent with the obligations of the United States as a Member of the World Trade Organization, the United States Trade Representative shall continue to monitor and assess whether the distribution of such funds is inconsistent with such obligations and if at any time, the United States Trade Representative determines that there has been a change in circumstances, and as a result of such changed circumstances, the distribution of funds pursuant to such section 754 is not inconsistent with the obligations of the United States as a Member of the World Trade Organization, the United States Trade Representative shall, within 30 days of that determination, report the determination to Congress: *Provided further*, That notwithstanding any other provision of law, no funds may be made available, obligated, or distributed pursuant to such section 754 until the date that is 30 days after the date on which the United States Trade Representative reports a determination to Congress pursuant to the preceding proviso that the distribution of funds pursuant to such section 754 is not inconsistent with the obligations of the United States as a Member of the World Trade Organization.”

SA 1681. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 144, beginning on line 20, strike the following: “Provided further, That nego-

tiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties.”

SA 1682. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 145, beginning on line 12, strike “Provided further,” and all that follows through line 15.

SA 1683. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 154, strike lines 7 through 13.

SA 1684. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, beginning on line 18, strike “Provided further, that not less than \$2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c):”

SA 1685. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, beginning on line 21, strike the following: “Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties.”

SA 1686. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, beginning on line 25, strike the following: “Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107-210.”

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAKING APPROPRIATIONS FOR SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES FOR FISCAL YEAR 2006—CONTINUED

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that we return to the pending matter and that the pending amendments be set aside so I may introduce another amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1678

(Purpose: To provide financial relief for individuals and entities affected by Hurricane Katrina)

Mr. LIEBERMAN. Mr. President, I have an amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. LIEBERMAN] proposes an amendment numbered 1678.

Mr. LIEBERMAN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. LIEBERMAN. Mr. President, this amendment is an attempt to make sure, to the best of our ability, that people, families, individuals already devastated personally, psychologically, and physically by Hurricane Katrina are not lastingly devastated financially as well.

Where hundreds of thousands of people were forced out of their homes, forced out of their neighborhoods, forced out of their communities, forced out of work, our Government, it seems to me, must do everything it can to help them rebuild their lives from whatever they can salvage from this enormously powerful and destructive storm.

This amendment that I propose this morning is based on title IV of the Katrina Emergency Relief Act of 2005, which has been introduced by my colleagues Senator REID of Nevada and Senator LANDRIEU of Louisiana.

This amendment has seven main provisions, all of which are aimed at enabling the Federal Government to extend a hand—not a handout—to the people who have been so shaken from their normal lives by this storm and give them the help to rebuild those lives in the best tradition of American community responsibility for one another, and individual opportunities.

There are seven parts. Let me quickly enumerate them.

First, this amendment will waive the caps and cost sharing under the Stanford Act, Individuals and Household